

Thursday, December 10, 2015

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. Hearings generally proceed in the order listed, unless changed by the Planning Commission at the meeting.

ROLL CALL:

PRESENT: Jim Irving; Kenneth Topping; Eric Meyer; James Harrison; and Don Campbell

ABSENT: Don Campbell

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Susan Levine and Eric Greening: speak.

PLANNING STAFF UPDATES

2. This is the time set for Planning Staff updates.

Ellen Carroll, staff: updates Commissioners on their near term schedules for 2016. Reports February 4, 2016 is the date the Phillips 66 rail spur project is scheduled on and tentatively, February 11 will be a regular PC date; February 25 for Phillips 66.

Jim Irving: thanks Jim Bergman for his visit to No. County to meet with Adelaida area residents regarding their concerns.

Ken Topping: would like information on the Resource Management System with Ms. Carroll responding.

3. A request by Monarch Dunes, LLC for a Conditional Use Permit to develop Phase 2A of the Woodlands Village including: 242 single-family residential units, a nine-hole golf course, a model home complex, two neighborhood parks, and trails. The Phase 2A area is located in the southeasterly quadrant of the Woodlands Village between Mesa Road and Eucalyptus Road, approximately 2 miles west of the community of Nipomo, in the South County planning area.

Project Manager: Jay Johnson

Recommend: Continuance

The Commission agrees to take this item out of order and continues this item to January 28, 2016.

Thereafter on **Motion by:** James Harrison, **Second by:** Eric Meyer, and on the following vote, the Commission continues this item to January 28, 2016.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

4. Letter to the Board of Supervisors Regarding Rangeland Management and Carbon Sequestration

James Caruso, Project Manager: is available for questions.

Commissioners: begin discussing the letter.

Ken Topping: opens Public Comment with Mr. Eric Greening speaking. Comments on a tentative joint meeting with the Board of Supervisors (BOS) in terms of what will be discussed.

Thereafter, on **Motion by:** James Harrison, **Second by:** Eric Meyer, and on the following vote, the Commission approves this draft sequestration letter as written.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

5. August 13, Draft Planning Commission minutes

Thereafter on **Motion by:** Jim Irving, **Second by:** Eric Meyer, and on the following vote, the Commission approves the August 13, 2015 draft Planning Commission minutes.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			

Topping, Ken	x			
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6. August 27, 2015 Draft Planning Commission minutes

Thereafter on **Motion by:** Jim Irving, **Second by:** James Harrison , and on the following vote, the Commission approves the August 27, 2015 draft Planning Commission meeting minutes.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric			x	
Topping, Ken	x			

Eric Meyer abstains for voting on this item as he was not present at this meeting.

7. September 10, 2015 Draft Planning Commission minutes

Thereafter on **Motion by:** Jim Irving, **Second by:** James Harrison and on the following vote, the Commission approves the September 10, 2015 draft Planning Commission meeting minutes.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric			x	
Topping, Ken	x			

Eric Meyer: abstains from voting due to his not being present at this meeting.

8. September 24, 2015 Draft Planning Commission minutes

Thereafter, on **Motion by:** Jim Irving, **Second by:** James Harrison, and on the following vote, the Commission continues this item to January 14, 2016.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric			x	
Topping, Ken	x			

Eric Meyer: abstains from voting due to his not being present at this meeting.

9. October 22, 2015 Draft Planning Commission minutes

Thereafter, on **Motion by:** Jim Irving, **Second by:** James Harrison, and on the following vote, the Commission approves the October 22, 2015 draft Planning Commission meeting minutes.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric			x	
Topping, Ken	x			

Eric Meyer: abstains from voting due to his not being present at this meeting.

10. October 22, 2015 Draft Planning Commission minutes

Thereafter on **Motion by:** Jim Irving, **Second by:** James Harrison, and on the following vote, the Commission approves the October 29, 2015 draft Planning Commission meeting minutes.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

11. November 12, 2015 Draft Planning Commission minutes

Thereafter on **Motion by:** Jim Irving, **Second by:** James Harrison, and on the following vote, the Commission approves the November 12, 2015 draft Planning Commission minutes.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

- 12.** A request for a third time extension by Las Tablas Villas, LLC for Vesting Tentative Tract Map 2549 and Conditional Use Permit to subdivide a 3.81 acre parcel into 45 parcels for the construction of 41 attached single family townhouses. The residential development consists of 41 parcels of approximately 0.04 acres to 0.07 acres in size and three open space lots. Also proposed are a community recreation area with a swimming pool, a gazebo, restrooms and a BBQ facility with landscaping. The project includes a pedestrian path along the western perimeter and through the site to access the open space area to the south. The project also includes a connection to an access bridge and road to Las Tablas Road and access to Posada Lane. Three access roads within the subdivision are also proposed. The project site is located east of Posada Lane, south of Las Tablas Road, within the community of Templeton. The site is in the Salinas River Sub Area in the North County Planning Area. The Negative Declaration and addendum were approved by the Board of Supervisors on March 1, 2005.

County File Number: S020319U

Assessor Parcel Number: 040-280-057

Supervisory District: 1

Date Accepted: N/A

Project Manager: Jo Manson

Recommendation: Approval

Commissioners and staff discuss briefly the reasoning for this time extension.

Thereafter, on **Motion by:** Jim Irving, **Second by:** Eric Meyer, and on the following vote, the Commission approves the third and final time extension request for Vesting Tentative Tract Map 2549 and Conditional Use Permit.

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

- 13.** Determination of conformity with the General Plan for the vacation of Melrose Avenue, a paper street, situated south of Berwick Drive and between the intersections of Dreydon Avenue and Dovedale Avenue in the community of Cambria. The road abandonment is in response to a request by Mark and Elizabeth Lowerison, and Dennis Zadell who are the adjacent property owners of Melrose Avenue. The street is located in the Residential Single Family land use category within the community of Cambria in the North Coast Planning Area. This General Plan Conformity Report is not considered a project under CEQA and therefore does not require an environmental determination. Any subsequent land use permit application, however, would require an environmental determination.

County File Number: DTM2015-00006

Assessor Parcel Number: N/A - County Right of Way

Supervisory District: 2

Date Accepted: November 26, 2015

Project Manager: Karen Nall

Recommendation: Receive and File

Fred Andrews, Public Works: explains reasoning for the street abandonment request.

Commissioners: begin discussing request.

Karen Nall, staff: explains the 40 day determination period for conformance. Also explains the public hearing process for road abandonments.

Whitney McDonald, County Counsel: explains Commissioners' purview on the determination of this request, in terms of action if not receiving and filing this report.

Ken Topping: referring to Pg. 2 of the staff report regarding a statement about interference with access with Mr. Andrews clarifying this statement. Opens Public Comment with no one coming forward.

Thereafter, on **Motion by:** Eric Meyer, **Second by:** Jim Irving, and on the following vote, the Commission does not receive and file this consent item.

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

- 14.** Determination of conformity with the General Plan for the vacation of Front Street, a paper street, situated south of Nipomo Street in the community of Oceano. The road abandonment is in response to a request by Jay Jamison who is the adjacent property owner of Front Street. The street is located in the Commercial Service land use category within the community of Oceano in the San Luis Bay Inland sub-area of the South County Planning Area. This General Plan Conformity Report is not considered a project under CEQA and therefore does not require an environmental determination. Any subsequent land use permit application, however, would require an environmental determination.

County File Number: DTM2015-00005
 Supervisorial District: 4
 Project Manager: Karen Nall

Assessor Parcel Number: NA County Right-of-Way
 Date Accepted: NA
 Recommendation: Receive and File

Thereafter on **Motion by:** James Harrison, **Second by:** Jim Irving, and on the following vote, the Commission receives and files this consent item.

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			

Topping, Ken	x			
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HEARINGS: (Advertised for 9:00 a.m.)

15. A request by Community Health Centers for a Variance and Minor Use Permit to allow the development of a medical center. The proposal includes the following components: (1) a Variance request to develop office use without a residential component on a property designated for mixed-use development; (2) grading of the project site, involving site disturbance of approximately 1.19 acres; (3) development of a 15,000 square foot medical center with a 68-space parking lot; and (4) a modification to reduce the number of required parking spaces by seven. The proposed project is within the Commercial Retail (CR) land use category and is located at the southeast corner of 21st Street and Cienaga Street (Highway 1) in the community of Oceano. The site is in the San Luis Bay subarea of the South County planning area. Also to be considered is approval of the environmental document. An addendum to a mitigated negative declaration was issued on October 28, 2015.

County File Number: DRC2015-00050
 Supervisorial District: 4
 Michael Conger, Project Manager

Assessor Parcel Number: 062-117-009, 011
 Date Accepted: October 27, 2015
 Recommendation: Approval

Michael Conger, Project Manager: presents staff report via a Power Point presentation.

Commissioners: ask questions of staff.

Ken Topping: opens Public Comment with no one coming forward.

Thereafter on **Motion by:** James Harrison, **Second by:** Eric Meyer The Commission adopts an addendum to the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Variance and Minor Use Permit DRC2015-00050 based on the findings listed in Exhibit A and subject to the conditions listed in Exhibit B.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

16. A request by PAUL VANDERHEYDEN for a General Plan Amendment to the San Luis Obispo North Sub Area of the San Luis Obispo Area Plan of the Land Use Element to change the land use category on a 21.5 acre site from Agricultural to Residential Rural. The project is located approximately 500 feet east of the eastern terminus of Tiburon Way, on the east side of Orcutt Road, located on the eastern boundary of the City of San Luis Obispo, in the San Luis Obispo North Sub Area of the San Luis Obispo planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that

there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq. and CA Code of Regulations Section 15000 et seq.) has been issued on October 22, 2015 for this project. Mitigation measures are proposed to address Biological Resources, Geology and Soils, Public Services/Utilities, Recreation, Transportation/Circulation, and Land Use; and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File Number: LRP2010-00006

Assessor Parcel Number: 076-531-009

Supervisorial District: 3

Date Accepted: N/A

Project Manager: Megan Martin

Recommendation: Board of Supervisors Approval

Brian Pedrotti, Project Manager: presents staff report via a Power Point presentation.

Rachel Koveski, agent: shows a Power Point presentation.

Thereafter on **Motion by:** Eric Meyer, **Second by:** James Harrison, and on the following vote, the Commission recommends the Board of Supervisors approve this General Plan Amendment as shown in the attached Exhibits LRP2010-00006 B and C based on the recommended findings and with the additional language to the planning area standard specific to this property to address the lot size minimum to be 10 acres or less.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

17. A request by RONALD SPEERS & VERIZON WIRELESS for a Conditional Use Permit to allow the construction and operation of an unmanned wireless communications facility. The proposed facility would consist of: a) nine (9) panel antennas mounted at a height of 36 feet above ground level within the cylinder portion of a new 45-foot high faux elevated water tank; b) one new 200 square-foot prefabricated equipment shelter; c) one 30kW permanent diesel back-up generator; d) one (1) GPS antenna; e) six (6) new Raycaps; and f) associated utility trenching for the installation of power and telco lines. The project is located on a 4.22 acre parcel and will result in the disturbance of approximately 1,050 square feet for the construction of the proposed facility. The proposed project is within the Agriculture land use category and is located at 5900 Templeton Rd., approximately 300 feet (east) of Rocky Canyon Road and approximately 0.13 miles east of the City of Atascadero. The subject property is in the El Pomar-Estrella sub-area of the North County planning area. Also to be considered is the approval of the environmental document. A mitigated negative declaration was issued on October 29, 2015.

County File Number: DRC2014-00101
 Supervisorial District: 5
 Project Manager: Schani Siong

Assessor Parcel Number: 034-551-009
 Date accepted: July 15, 2015
 Recommendation: Approval

Schani Siong, Project Manager: presents staff report via a Power Point presentation.

Commissioners: ask questions of staff.

Eric Meyer: provides reasoning for voting against the proposal, especially in terms of the proximity of cell phone towers to property lines and feels these should be located within their own setbacks.

Ken Topping: opens Public Comment.

Pete Shubin, Verizon agent: addresses proximity concerns.

Thereafter on **Motion by:** Jim Irving, **Second by:** James Harrison, and on the following vote, the Commission adopts the Negative Declaration (ED14-215) in accordance with the applicable provision of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Conditional Use Permit DRC2014-00101 based on the finding listed in Exhibit A and subject to the conditions listed in Exhibit B, and the revised conditions presented at the hearing.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric		x		
Topping, Ken	x			

18. A request by Dr. Harvey Billig for a for a Vesting Tentative Parcel Map and concurrent Conditional Use Permit to 1): subdivide an existing 4.9 acre parcel into two parcels of 1.46 acres and 3.44 acres; and 2) construct a 36,503 square feet (sf) assisted living facility (60 beds) on the 1.46 acres parcel, and a 70,419 sf hospital (behavioral health – 91 beds) on the 3.44 acre parcel including site improvements for grading, parking, and landscaping and includes a common driveway and shared parking between the proposed buildings. The request includes a modification to the height standards for the proposed hospital to allow a height of 44 feet from average natural grade instead of 35 feet as provided by ordinance. The proposed project will result in the disturbance of approximately 3.5 acres and 22,230 cubic yards of cut and 17,260 cubic yards fill on a 4.9 acre parcel. The project is within the Office and Professional land use category, and is located on the south side of Las Tablas Road (directly opposite Twin Cities Hospital), approximately ¼ mile west of Bennett Rd in the community of Templeton, in the Salinas River Sub Area of the North County Planning Area. Also to be considered is the approval of the Mitigated Negative Declaration issued on October 29, 2015.

County File Number: SUB2013-00052

Assessor Parcel Number: 040-280-056

Supervisory District: 1

Date Accepted: November 13, 2014

Project Manager: Holly Phipps

Recommendation: Approval

Commissioners: disclose their ex-parte contacts.

Holly Phipps, Project Manager: presents staff report via a Power Point presentation.

Whitney McDonald, County counsel: provides direction to the Commission regarding laws that apply to this decision with Commissioners responding.

Chief Deputy Ron Hastie (SLO Sheriff's Office) speaking on behalf of Sheriff Parkinson, reports the Sheriff is in favor of proposal and provides reasoning.

Ann Robin, SLO County Health Agency speaks.

Pamela Jardinni, agent: presents a Power Point presentation.

Ken Topping: opens Public Comment.

Madeleine Johnson, Michael Gibbs, Joseph Johnson, Eric Greening, Greg Cordova, Susan Levine, Robert Hartzell, Lucille Craig, Kevin Colton MD, Laurie Colton, Bruce Baird, Heidi Bezaire, Shonntré Cross, Cecil Martinez, Martha Staub, Tom Comar, Lee Perkins, Shere Sagely, Marcus Smith, Sheree Sagely, Medinger-Fabrics, Stacy Henderson, Greg Ellison, Jerry Sibbach, Victoria Meredith,

Deborah Rodriguez, Melanie Billig, Jerry Howe, Chris Parker-Kennedy, Tracy Dumont, Fred Monroe, Susan Armstrong, Susan Warren, William O'Neil, Charleen vonGortner, Rev. Diane Rehfield, Karl Richard Hansen, Marcella Peric, Dr. Jardini,

Linda Gilbert, Roger Bowsky, Jill Bolster-White, Kay Kartsioukas, Jena McCouloch, Cindy Johnson, Gwen Pelfrey, John Klimala, Mardi Geredes, Aurora William, Marguerite Bader, Jack Harmon, Heidi Harmon, Marie Brinkmeyer, John Richardson, Ann Fletcher, Fred Frank, Joseph Kurtzman,

Lyle Grosjean, Mike Zaikowsky, Dugald Chisholm Jr. MD, Jeannie Ledford, Rob Clayton, Clay Newman: speak.

Thereafter on **Motion by:** James Harrison, **Second by:** Jim Irving and on the following vote, the Commission continues this item to January 14, 2016.

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			

Topping, Ken	x			
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Thereafter on **Motion by:** Eric Meyer, **Second by:** Jim Irving, and on the following vote, the Commission accepts all correspondence and testimony entered into the record.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

Thereafter on **Motion by:** Eric Meyer, **Second by:** Jim Irving, and on the following vote, the Commission adjourns to the next regularly scheduled meeting on January 14, 2016.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don				
Meyer, Eric	x			
Topping, Ken	x			

ADJOURNMENT: 4:55 PM

Respectfully submitted,
 Ramona Hedges, Secretary
 San Luis Obispo County Planning Commission

Minutes approved at the xx/xx/xx Planning Commission meeting.